

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:18-CR-00250-FL

UNITED STATES OF AMERICA :  
 :  
 v. :  
 :  
 JAMES LEE MCCLAIN :

**ORDER OF FORFEITURE**

WHEREAS, pursuant to the entry of a plea of guilty by the defendant, James Lee McClain, on October 19, 2018, to offenses in violation of 18 U.S.C. § 841(a)(1), and having considered the record as a whole and the applicable law, the Court finds that the United States is now entitled to the forfeiture of \$20,900.00, which represents proceeds the defendant personally obtained as a result of the said offenses, and that due to the defendant's acts or omissions this property is not currently in the possession of nor are its whereabouts known to the government.

NOW, THEREFORE, it is ORDERED, ADJUDGED and DECREED:

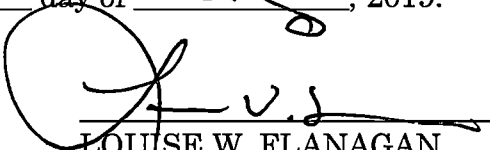
1. That pursuant to 21 U.S.C. § 853(a), the defendant shall forfeit \$20,900.00 to the United States as property constituting or derived from proceeds obtained, directly or indirectly, as a result of the said offenses.
2. That pursuant to 21 U.S.C. § 853(p), the United States is entitled to forfeit substitute assets up to the value of the gross proceeds obtained by the defendant, that is \$20,900.00.

3. That pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure, the United States may move to amend this Order at any time to substitute specific property to satisfy this Order of Forfeiture in whole or in part.

4. That any and all forfeited funds shall be deposited by the U.S. Department of Justice or the U.S. Department of the Treasury, as soon as located or recovered, into the U.S. Department of Justice's Assets Forfeiture Fund or the U.S. Department of the Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

5. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is DIRECTED to incorporate a reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order shall be final as to the defendant at sentencing.

SO ORDERED, this 5<sup>th</sup> day of February, 2019.

  
LOUISE W. FLANAGAN  
United States District Judge